

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: THE BANK OF NEW YORK
MELLON ADR FX LITIGATION

16-CV-00212-JPO-JLC

ECF Case

This Document Relates to:

ALL ACTIONS

**NOTICE OF AND MOTION FOR
FINAL APPROVAL OF
PROPOSED CLASS ACTION
SETTLEMENT AND PLAN OF
ALLOCATION**

Pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order of January 17, 2019 (ECF No. 149), Plaintiffs David Feige, International Union of Operating Engineers Local 138 Annuity Fund, Annie L. Normand, Diana Carofano and Chester County Employees Retirement Fund (collectively, "Lead Plaintiffs") hereby move this Court, before the Honorable J. Paul Oetken, on June 17, 2019 at 3:00 p.m., in Courtroom 706 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for entry of an Order and Final Judgment approving the Settlement as fair, reasonable, and adequate and for entry of an Order approving the proposed Plan of Allocation as fair, reasonable, and adequate.¹ This Motion is supported by the contemporaneously filed Joint Declaration of Sharan Nirmul and Daniel P. Chiplock and exhibits thereto, Declarations of Lance Cavallo of Kurtzman Carson Consultants LLC and Jeanne C. Finegan of HF Media LLC and exhibits thereto, the Memorandum of Law in

¹ A proposed Judgment and Order granting the requested relief will be submitted with Lead Plaintiffs' reply papers on June 10, 2019, after the deadlines for objecting to the Settlement and requesting exclusion from the Settlement Class have passed.

Support of Lead Plaintiffs' Motion for Final Approval of Proposed Class Action Settlement and Plan of Allocation, and any other submissions the Court may require.

Dated: April 29, 2019

Respectfully submitted,

**KESSLER TOPAZ MELTZER
& CHECK, LLP**

**LIEFF CABRASER HEIMANN
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